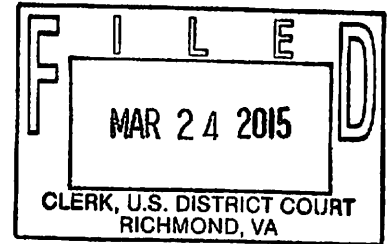


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



UNITED STATES OF AMERICA,

v.

Civil Action No. 3:14cv10

ALEJANDRO MARTINEZ-MATA

MEMORANDUM OPINION

By Memorandum Opinion and Order entered on October 24, 2014, the Court dismissed Alejandro Martinez-Mata's Motion for Return of Property (ECF No. 2) pursuant to Federal Rule of Civil Procedure 41(g). (See ECF Nos. 27-28.) On November 25, 2014, the Court received from Martinez-Mata a motion filed pursuant to Fed. R. Civ. P. Rule 59(e) ("Rule 59(e) Motion," ECF No. 30).

The United States Court of Appeals for the Fourth Circuit has recognized three grounds for relief under Rule 59(e): "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." Hutchinson v. Staton, 994 F.2d 1076, 1081 (4th Cir. 1993) (citing Weyerhaeuser Corp. v. Koppers Co., 771 F. Supp. 1406, 1419 (D. Md. 1991); Atkins v. Marathon LeTourneau Co., 130 F.R.D. 625, 626 (S.D. Miss. 1990)).

Martinez-Mata fails to demonstrate that the Court committed a clear error of law. Nor does Martinez-Mata demonstrate any

other basis for granting Rule 59(e) relief. Instead, Martinez-Mata continues to argue that he should receive the monetary value of his forfeited vehicle and that he had no notice that the vehicle was subject to forfeiture due to purported shortcomings of his counsel. (See Martinez-Mata Statement, ECF No. 30-1, at ¶¶ 5, 11-16.) The Court already resolved these issues in its prior Memorandum Opinion and Order. Martinez-Mata fails to demonstrate entitlement to Rule 59(e) relief. Accordingly, Martinez-Mata's Rule 59(e) Motion will be denied.

The Clerk is directed to send a copy of the Memorandum Opinion to Martinez-Mata.

/s/ *REP*
Robert E. Payne
Senior United States District Judge

Date: *March 24, 2015*
Richmond, Virginia